



1 The parties respectfully request that Judge Fogel modify his order as follows:

2 1)The Defendant's deposition will occur on August 13, 2008 at 1:30pm at plaintiff's office at  
3 28 North 1<sup>st</sup> Street, Suite 210, San Jose, CA 95113.

4 2)The case will be mediated before the Honorable Judge Alex Saldamando at ADR Services  
5 at 50 Fremont Street Suite 2110, San Francisco, California 94105 Tel (415) 772-0900

6 3)The Defense counsel will be held to the same sanctions if he does not appear with his  
7 client at the modified times.

8 Parties assert that the following good cause exists to request a modification of the order:

9 1) Honorable Magistrate Judge Seeborg is extremely busy and may not be able to fit  
10 the case management conference into his schedule before September 12, 2008.  
11 The Parties do not wish to burden the federal courts if they can resolve this case  
12 through private mediation.

13 2) The parties have already cleared the modified dates with their clients and defense  
14 counsel has shown a good faith effort by working with Plaintiff's counsel for  
15 approximately two hours following the August 8, 2008 Case Management  
16 Conference to prepare these stipulations and ensure that he and is client will  
17 comply.

18 Respectfully Submitted,

19 BUZO LAW OFFICES

20  
21 By: s/Alfred Buzo  
22 ALFRED R. BUZO  
Attorney for Defendants

23 Dated: August 8, 2008

24 LAW OFFICES OF JAMES DAL BON

25  
26 By: s/jdb  
JAMES DAL BON  
Attorney for Plaintiff

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2 It is so Ordered

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Dated: 8/12/08

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A handwritten signature in blue ink, appearing to read 'J. Fogel', is written over a horizontal line. The signature is stylized with a large initial 'J' and a long, sweeping underline.

Honorable Judge Jeremy Fogel

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